Sectt. H-27—20,006—16-11-40.

Pub. (Servts)(1941) Department.

ர. ந. SERIES.

G.O. No. 2154

2154

Dated 2-10-41

2-1-41

[Despatch Abstract.]

PUBLIC SERVICES - Sheik Ahmed Sahib - Late Second grade process server, District Court, Bellary - Exclusion from public service - Notified.

25036E
27/8/41

R.O.C.No.4763/41 B-3.

From

S.P. THOMPSON Esq., I.C.S.,
Registrar, High Court of Judicature, Madras.

ASSISTANT SECRETARY TO GOVT. 28 AUG 1941 CHIEF SECRETARIAT

To

26 AUG.1941 HOME DEPARTMENT

The Secretary to Government,
Home Department, Madras (with enclosure).

Dated 22nd August 1941.

Sir,

As. Home Dept
Public (Ser) wg
27.8.41.
27/8 27/8

Subject:- Establishment - Sheik Ahmed Sahib, Second Grade Process Server, District Court, Bellary - Dismissal - Exclusion from employment in Government Service - draft Notification - forwarded.

I am directed to forward for publication in the Fort St. George Gazette a draft notification sent by the District Judge, Bellary, regarding the dismissal of Sheik Ahmed Sahib, Second Grade Process Server, District Court, Bellary.

Home W o 25036E-1
28/8/41
9775
28/8

I am to add that the time for preferring an appeal against the dismissal has expired.

I have the honour to be,
Sir,
Your most obedient Servant,

REGISTRAR.

PR/

3

The following notification will be published in the Fort St.George Gazette:-

NOTIFICATION.

Sheik Ahmed Sahib, late 2nd Grade Process server, District Court, Bellary of whom particulars are given below was dismissed from service with effect from 8-2-1941 and he is debarred from re-employment in any department of the public service:-

Father's name.	....	Sheik Maroof Sahib,
Residence.	...	Hospet, Bellary District.
Caste.	....	Mohammedan.
Date of birth.	....	1900.
Height.	....	5' - 6"
Marks of identification.		1. A mole on the left side of fore head 2½" above the temple.
		2. Circular scars on either temples.

District Court, Bellary.
Dated August 1941.

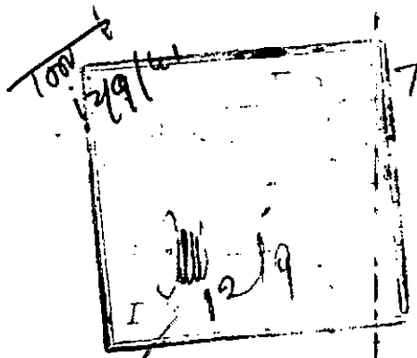
District Judge.

8811

Public (Services) Dept.

17/12/41

Letter No 27754-D7 11. 9. 41
Ref.



To

The ~~Registrar~~ Hon'ble the C.J.
High Court of Judicature
at Madras,

Hon'ble Sir,

Public Servants - Shaik Ahmed Sahib, late Second Grade Process Server, District Court, Bellary - Exclusion from public Service - Ref. Regts ~~Yours~~ ~~Registrars~~ letter R.O.C. no 4763/41-B-3 D7 22-8-41.

pp 1-2 cf.

I am directed to say that Notifications regarding debarment of Government Servants from public service are published in the Fort St. George Gazette only if the Govt Servants concerned had been dismissed for heinous offences such as fraud mis-appropriation, falsification of records etc. I am accordingly to enquire whether

A

This Dept's note on p 3 of (5)

~~X~~ 5

Whether the dismissal of Sheik Ahmed Sahib was as a result of any such offence, and if so, to request that a copy of the order of dismissal may be sent to Govt. for reference.

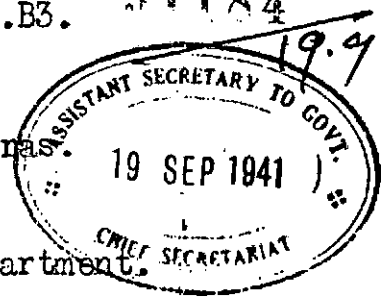
8/
29.9.41.

29/9/41

15.5.41

R. D. 25-9-41

R.O.C.No.4763 of 1941.B3. 21184 19.9 6



From

S. P. Thompson Esquire, I.C.S.
Registrar, High Court, Madras.

To

The Chief Secretary to Government,
Public (Services) Department.

Dated the 16th September 1941.

Sir,

Subject:- Public Servants - Sheik Ahmed Sahib, Late Second Grade process server, Bellary - exclusion from public service -

Reference: Letter No.27754-1 Public Services Department.

Pk 4-5 annx

Pk 7-8 annx

I am to furnish a copy of the order of the District Judge, Bellary, dismissing Sheik Ahmed Sahib, late second grade process server, District Court, Bellary, and to state that he was dismissed for making false endorsements on processes and for misappropriating the batta money entrusted to him.

A.II

I have the honour to be,
Sir,
Your most obedient servant,

S. P. Thompson

REGISTRAR.

KMN KG

PROCEEDINGS OF THE DISTRICT COURT BELLARY.

Name E.G.Barter Esquire, I.C.S.,
District Judge, Bellary.

Dated 8th February 1941

READ -- the following:-

1. Report dated 10-1-1941 from the Dy.Nazir, District Court, Bellary reporting that Sheik Ahmed a process server, District Court, Bellary who had been entrusted on 25-12-1940 with processes and cash batta of Rs.18/- for service and return on 6-1-1941 did not turn up till 11-1-1941;

2. Explanation of the process server dated 11-1-1941;

3. The further report of the Dy.Nazir, dated 21-1-1941;

4. The resignation tendered by the process server dated 21-1-1941;

5. Charge dated 23-1-1941 and the explanation of the process server dated 31-1-1941;

6. The connected papers.

ORDER:-

The process server, Sheik Ahmed was due to return on 6-1-1941. He returned on 11-1-1941 with some of the processes unexecuted, and repaid the amount due on them. His explanation for his absence, was not satisfactory though it could not actually be disproved, and orders were kept pending receipt of a copy of the order by which he was suspended in Hospet in 1939. Meanwhile it was discovered that processes to three witnesses endorsed as served in person had not in fact been served. The process server admitted that he had not served them, but had made false endorsements, and had misappropriated the money.

A 11

He pleads guilty to the charges on these matters and says he acted under the effects of fever being unconscious, and did not know what he had done, even when his previous explanation was taken.

It is incredible that endorsements could have been written except by deliberate conscious intention. This is not a solitary lapse due to an unusual cause that might not recur. The order of the District Munsif of Hospet, suspending him for a month in 1939 shows that he had repeatedly failed to return processes and batta

in time, and that there had been complaints of forgery of signatures of parties and witnesses which appeared, in the opinion of the District Munsif to be true; and that he had been repeatedly pardoned in the hope of reform. In awarding that punishment, consideration was given to his youth, and other circumstances in the same hope, which has proved vain. He is evidently incorrigible and cannot be retained in service. He is accordingly dismissed. The order of dismissal will be published in the Fort St.George Gazette under Chapter II Part I C.R.P. - Punishments II and annexure I - B, Volume II to preclude him from re-employment.

(Sd) E.G.Barter,
District Judge.

KLN

Public (Services) Dept.

Public Servants - Sheik Ahmed Sahib - Late Second Grade Process Server, District Court, Bellary - Exclusion from public service.

Ctt No. 27754/1941.
pp 1-3 cf.

From the Registrar, High Court, Madras, R.O.C no 4763/41-B-3, Dt 22nd August 1941.

Please see the report from the Registrar, High Court Madras in the C.F. It is not known, whether the offence for which the late Process Server was dismissed was a heinous on the Registrar, maybe asked to obtain and forward a copy of the order of the District Judge, Bellary, dismissing the Process Server from service.

M 1-3 cf

Pl see this Supdt's note on p 3 of Fs 305 Pub 13-2-41 (5)

A draft memo is submitted. Home may see before issue.

It is understood that in case of such routine matters the Registrar could be addressed by a memo.

1.9.41.

Home

Secs (B) no 27754-1
5.9.41

ASSISTANT SECRETARY TO GOVT. * HOME DEPARTMENT * 5-SEP.1941

Home department

A.S.

Reference is solicited to para 34(iii) of the Madras Secretariat Office Manual under which communications

26212 (14, Dt 3-9)
(not printed)

2

to the High Court, as a general rule, should be in the form of a letter addressed to the Registrar except in cases of communications of a routine character, the C.J. The subject matter of the memo. below does not seem to be of a routine nature. This dept. may suggest that the High Court be addressed by a letter

2 May be returned to Public (Ser) dept as

7/9
6.9.41

7/9
6/9

25036
Home & C 26212-E-2
5.9.41

ASSISTANT SECRETARY TO GOVT.
9 SEP 1941
CHIEF SECRETARIAT

Put up letter then.
9/9

Public (Services) Dept.

A draft letter to the ~~Registrar~~ Hon'ble C.J. is submitted.

9/9
9.9.41

11/9/41

Issued as Letter 27754-1 Pub(Ser) Dt 11-9-41. pp 4-5 CF

From the Registrar, High court.

R.C. No 4763/1941-B3 Dt 16.9.41 pp 6-8 CF.

It will be seen from the Regis- p 6 CF
trars letter that the process server was dismissed from service for

p 21/54

H mpp 6d/7 CF.

making false endorsements on processes and for misappropriating the batta money entrusted to him. These are heinous offences warranting the issue of a notification debarring him from re-employment under Govt. The time for preferring an appeal against the dismissal has expired. A draft notification is put up. Home may see before issue.

dismissed on 8-2-41 - see p 2 CF

cf p 2 cf.

28051 E
23/9

Ser no 27754-3
23.9.41

23 SEP. 1941
HOME DEPARTMENT

20/9/41
22/9/41
22/9/41

Home

Home Depts

A.S.

May be perused and returned to Pub(Ser) depts. 06

24.9.41.

24/9 Pub (Ser)

Home. No. 25036 E-3/41
25-9-41

ASSISTANT SECRETARY TO GOVT.
25 SEP 1941
CHIEF SECTT.

Public (Services) Dept

For orders whether the draft notification may issue.

May issue
27/9/41

25/9/41
26/9/41

25/5

Issue

CS

JW

1 W

C.F. 15

37/2/41 DRAFT FOR APPROVAL, Public (Services) Department

Date. Initials.

SUBJECT :—

Public Servants – Sheik Ahmed Sahib – late Second Grade Process Server, District Court, Bellary – Exclusion from public service – Notified.

When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

READ AGAIN _____, dated _____ 19____

" " _____ " _____ 19____

READ *ALSO* :—

No. _____ From the _____, No. _____, dated _____ 19____

" _____ " _____ " _____ " _____ 19____

" _____ " _____ " _____ " _____ 19____

Order ~~Resolution~~ Ms. ~~Rout.~~ No. 2154, dated 2-10 19 41

Issue 9/2/42

The following notification will be published in the Fort St George Gazette.

Notification.

Sheik Ahmed Sahib, late Second grade Process Server, District Court, Bellary. Of whom particulars are given below, was dismissed from public service. He is debarred from re-employment in any department of public service.

Particulars.

2

Particulars.	
Father's name –	Sheik Maroof Sahib.
Residence –	Hospet, Bellary District
Religion ~~& caste~~	Muhammadan.
Date of birth. –	1900
Height –	5 feet 6 inches
Marks of identification –	1. A mole on the left side of forehead 2½ inches above the temple.
~~21~~ 20/9/41	2. Circular scars on either temples.

To

The Hon'ble the Chief Justice,
High Court of Judicature at
Madras. with reg. to the
Registrar's letter ~~No~~ R.O.C. No.
pl/c/ 4763/41-B-3 dt 22 Aug't 41
(with C.L)

The Madras Public Service
Commission (with C.L)

1. Home Department
1. Superintendent - Govt. Press for publication of Notification in the Fort St. George Gazette.

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